

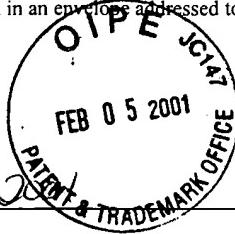
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Attn: Box Missing Parts
Washington, D.C. 20231

On January 31, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: Kathy Johnson



#3 sector
PATENT
Attorney Docket No.: 20054-000210US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter S. Lu et al.

Application No.: 09/687,837

Filed: October 13, 2000

For: CLASP-2 TRANSMEMBRANE PROTEIN

Examiner: Not yet assigned

Art Unit: 1645

TRANSMITTAL LETTER –
RESPONSE TO NOTICE OF MISSING
PARTS

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Non-Provisional Application dated November 22, 2000, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration and Power of Attorney
- 2) Certificate of Assignee Under 37 C.F.R. § 3.73(b)
- 3) Verified Statement Claiming Small Entity Status
- 4) Petition to Extend Time
- 5) Copy of Notice of Missing Parts
- 6) Return receipt postcard.

Peter S. Lu
Jonathan David Garman
Albert Frederick Candia III
Jonathan David Garman
Albert Frederick Candia III
Application No.: 09/687,837
Page 2

PATENT

Please charge Deposit Account No. 20-1430 for the following fees:

Small Entity:	(a) Filing Fee (§ 1.16(a)) (Small Entity)	\$355.00
	(b) Excess Claims Fees (§ 1.16(b), (c)):	
	39 - 20 = 19 x \$9.00 =	\$171.00
	10 - 3 = 7 x \$40.00 =	\$280.00
	(c) Missing Parts Surcharge	\$65.00
	TOTAL FEES TO BE CHARGED	\$871.00

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,



Andrew T. Serafini, Ph.D.
Reg. No. 41,303

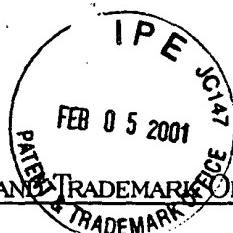
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TOWNSEND and TOWNSEND and CREW LLP
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PA 3124568 v1



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/687,837	10/13/2000	Peter S. Lu	20054-000210US

Andrew T Serafini PhD
 Townsend and Townsend and Crew LLP
 Two Embarcadero Center 8th Floor
 San Francisco, CA 94111-3834

FORMALITIES LETTER



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Date Mailed: 11/22/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1062.
 - \$342 for 19 total claims over 20.
 - \$720 for 9 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

- **The balance due by applicant is \$ 1902.**

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A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

BEST AVAILABLE COPY



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(i) & 1.9(c)) - SMALL BUSINESS CONCERN**

Applicant or Patentee:
Application or Patent No.:
Filed or Issued:
Title:

Peter S. Lu, Jonathan David Garman, and Albert Frederick Candia III
09/687,837
October 13, 2020
CLASP-2 TRANSMEMBRANE PROTEIN

I hereby declare that I am:

- the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below.

Name of Small Business Concern:
Address of Small Business Concern:

Arbor Vita Corporation
772 Lucerne Drive
Sunnyvale, CA 94086

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled CLASP-2 TRANSMEMBRANE PROTEIN by inventor(s) Peter S. Lu, Jonathan D. Garman, Albert F. Candia III described in:

- the specification filed herewith;
 Application No. 09/687,837, filed October 13, 2000;
 Patent No. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name:
Address:

Individual Small Business Concern Nonprofit Organization

Name:
Address:

Individual Small Business Concern Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing:
Title of Person if Other than Owner:
Address of Person Signing:

Peter S. Lu
President and CEO
772 Lucerne Drive
Sunnyvale, CA 94086

Signature

Date